

*[Changes from Draft #1 to the current regulation are already incorporated]
[If adopted, this would amend the December 15, 1993, version of Regulation 1.06]
[Changes to Draft #1 are redlined and double underlined]*

**REGULATION 1.06 Stationary Source Self Monitoring, Emissions Inventory Development,
and Reporting**

**Air Pollution Control District of Jefferson County
Jefferson County, Kentucky**

Relates To: KRS Chapter 77 Air Pollution Control

Pursuant To: KRS Chapter 77 Air Pollution Control

Necessity And Function: KRS 77.180 authorizes the Air Pollution Control Board to adopt and enforce all orders, rules, and regulations necessary or proper to accomplish the purposes of KRS Chapter 77. This regulation establishes the conditions for stationary source self monitoring, emissions inventory development, and reporting.

SECTION 1 In-Stack Self Monitoring and Reporting

The District may require the owner or operator of a process or process equipment to install, operate, and maintain stack gas measuring, emission monitoring, and parametric monitoring equipment. For cause, including, but not limited to, the incineration of hazardous or infectious waste or repeated or on-going violations, the District may also require data storage and transmission equipment and lines. The owner or operator of a process or process equipment that is required to install, operate, and maintain this measuring or monitoring equipment shall maintain records of monitoring data and make periodic reports of these data in a form, units of measure, and at the time intervals required by the District. Requirements for specific affected facilities are contained in the applicable regulations. The District, for cause, may require additional or more stringent requirements for an individual affected facility than those required in the regulations otherwise applicable to that affected facility.

SECTION 2 Ambient Air Monitoring

The District may require the owner or operator of a process or process equipment to install, operate, and maintain ambient air monitoring equipment in accordance with methods prescribed by the District, and in the number and frequency as prescribed by the District, and to make periodic ambient air monitoring reports at intervals as prescribed by the District.

SECTION 3 Provisions for Section 4 and Section 5 Emissions Data

The following provisions apply to the emissions data requirements in Section 4 and Section 5:

3.1 When reporting actual emissions, the owner or operator shall include any increased emissions that result from startups, shutdowns, and malfunctions along with the routine emissions of a process or process equipment.

3.26 For purposes of complying with the provisions of Section 4 and Section 5 this regulation, all emissions shall be calculated using emission factors from EPA AP-42, other methods defined in the EPA-approved District regulations, stack test or CEMS data, or other procedures proposed defined by the owner or operator and that have been approved in writing by the District. If these other District-approved procedures are used, the District shall provide all documentation on the emissions calculation procedures to the EPA, upon request.

3.37 The emissions data required by Sections 4 and Section 5 3.1 to 3.5 shall include the process- or process equipment-specific calculations used to determine emissions. The raw data used

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to calculate the emissions shall be retained by the owner or operator of the stationary source for a period of not less than 5 years and shall be made available to the District upon request. Representative portions of the raw data used to calculate the emissions shall be supplied to the District in support of the emissions statement in a format provided by the District.

3.4 Notwithstanding the provisions of sections 4.2 to 4.4, if a stationary source is subject to Regulation 2.16 Title V Operating Permits, then the owner or operator of the stationary source shall comply with the provisions of section 4.1 and not the otherwise applicable provisions of sections 4.2 to 4.4.

3.5 For the purpose of reporting emissions pursuant to Section 4, the owner or operator may exclude emissions that are defined in Regulation 5.01 General Provisions sections 1.6.1 and 1.6.2 as “de minimis.”

3.6 For the purpose of reporting emissions pursuant to Section 5, the owner or operator may exclude emissions that are defined in Regulation 5.01 section 1.6 as “de minimis.”

3.7 If the owner or operator of a stationary source is required to submit an emissions statement pursuant to section 4.1 but no hazardous air pollutant is emitted during the applicable year, then the owner or operator shall submit a negative declaration in place of the emissions statement.

3.8 If the owner or operator of a stationary source is required to submit an enhanced emissions statement pursuant to section 5.2 but no toxic air contaminant is emitted during the applicable year, then the owner or operator shall submit a negative declaration in place of the enhanced emissions statement.

SECTION 43 Emissions and Related Data for Criteria Pollutants, HAPs, and Ammonia Reporting

43.1 The owner or operator of a stationary source shall submit an emissions statement of for actual emissions of particulate matter, sulfur dioxide, carbon monoxide, nitrogen dioxide, ozone precursor emissions of volatile organic compounds and oxides of nitrogen, lead, ammonia, and all hazardous air pollutants (HAPs) as listed in Regulation 5.14 Hazardous Air Pollutants and Source Categories to the District as follows:

43.1.1 Each year, on or before April 15th of the year, for the previous calendar year of operation, for a stationary source subject to Regulation 2.16 Title V Operating Permits (Group 1 stationary source),

43.1.2 Each year, on or before April 15th of the year, for the previous calendar year of operation, for either of the following (Group 2 stationary source):

43.1.2.1 A stationary source that has applied for an operating permit pursuant to Regulation 2.17 Federally Enforceable District Origin Operating Permits, or

43.1.2.2 A stationary source that is subject to the permit requirements of Regulation 2.03 section 1.1 or 1.2 but is not included in section 43.1.1, 43.1.2.1, 43.2, 43.3, or 43.4 of this regulation, if the actual emissions from the stationary source are 25 or more tons per year individually of sulfur dioxide, particulate matter, volatile organic compounds, or oxides of nitrogen, and

43.1.3 Beginning August April 15, 2006, and every third year thereafter, on or before August April 15th of the year, for the previous calendar year of operation, for a stationary source that is subject to the permit requirements of Regulation 2.03 section 1.1 or 1.2 but is not

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- included in section 43.1.1, 43.1.2, 43.2, 43.3, or 43.4 of this regulation ~~(Group 3 stationary source)~~, unless the District has notified the owner or operator of the stationary source in writing that an emissions statement is required every year.
- 43.2 Beginning April 15, 20065, the owner or operator of a gasoline dispensing facility subject to the provisions of Regulation 6.40 *Standards of Performance for Gasoline Transfer to Motor Vehicles (Stage II Vapor Recovery and Control)*, which does not include the initial transfer of gasoline into the fuel tanks of new motor vehicles at an automobile or truck assembly plant, shall submit to the District, on or before April 15th of each the year, the gasoline throughput, by grade, by month, for the previous calendar year of operation. In addition, beginning April 15, 2006, and every third year thereafter, the owner or operator shall submit to the District, on or before April 15th of the year, the amount, by type, in gallons per year, of cold cleaner material used for the previous calendar year.
- 43.3 Beginning July 15, 2006, and every third year thereafter, the owner or operator of a stationary source that is subject to the provisions of Regulation 6.44 *Standards of Performance For Existing Commercial Motor Vehicle And Mobile Equipment Refinishing Operations* or Regulation 7.79 *Standards of Performance For New Commercial Motor Vehicle And Mobile Equipment Refinishing Operations* and is not a stationary source described in either section 43.1.1 or 43.1.2 shall submit to the District, on or before July 15th of the year, the amount, in gallons, of coating and solvent, by type, used each month for the previous calendar year.
- 43.4 Beginning April 15, 2006, and every third year thereafter, the owner or operator of a stationary source that is subject to the provisions of Regulation 5.02 *Adoption of National Emission Standards for Hazardous Air Pollutants* section 3.12 *National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities* and is not a stationary source described in either section 43.1.1 or 43.1.2 shall submit to the District, on or before April 15th of the year, the perchloroethylene usage in gallons, by month, for the previous calendar year.
- 43.5 The District may require the owner or operator of any stationary source to submit additional information regarding processes, process equipment, and the actual or potential emissions related to any process or process equipment at the stationary source to the District on forms supplied by the District. The forms shall be returned to the District by the deadline date stated in the letter of transmittal with the forms or stated in the forms themselves.

SECTION 54 Enhanced Emissions Data for Toxic Air Contaminants

- 54.1 As used in Section 54:
- 54.1.1 “Category 1 TAC” means a toxic air contaminant (TAC) listed in Regulation 5.23 *Categories of Toxic Air Contaminants* Section 1,
- 54.1.2 “Category 21A TAC” means a toxic air contaminant listed in Regulation 5.23 Section 2, and
- 54.1.3 “Uncontrolled emissions” means the maximum amount of an air contaminant that could be emitted from a process or process equipment under its physical and operational design, regardless of any enforceable limitation on the potential to emit of the process or process equipment and the effect of any air pollution control equipment or other process control equipment that reduces emissions and that is vital to production of the normal product or to the normal operation of the process or process equipment. Physical and operational design factors that would limit the uncontrolled emissions from a process or

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- process equipment include, but are not limited to, raw material specifications, maximum production capability, product configuration, and process constraints.
- 54.2 The owner or operator of a stationary source shall submit an enhanced emissions statements for listed toxic air contaminants (TACs) to the District as follows:
- 54.2.1 For a stationary source subject to Regulation 2.16 (Group 1 stationary source), the following:
- 54.2.1.1 The information listed in section 5.2.3 for the actual and uncontrolled emissions by process or process equipment and as follows:
- | | | | |
|-------------------|----------------------------------|-----------------------------|--|
| <u>5.2.1.1.1</u> | Category 1 TACs | Calendar Year 2004 | Due 7-15-05, and |
| <u>54.2.1.1.2</u> | Categories 1 and <u>21A</u> TACs | Calendar Year 200 <u>65</u> | Due <u>6-30-077-15-06</u> ,
and each year thereafter, and |
- 5.2.1.2 The related stack and fugitive emission release parameters listed in section 54.3 as follows:
- | | | |
|------------------|-----------------|-------------------|
| <u>5.2.1.2.1</u> | Category 1 TACs | Due 7-15-05, and |
| <u>5.2.1.2.2</u> | Category 2 TACs | Due 12-31-06, and |
- 54.2.2 For a stationary source that has applied for an operating permit pursuant to Regulation 2.17 or a stationary source that is described in section 43.1.2.2 (Group 2 stationary source), the following:
- 54.2.2.1 The information listed in section 5.2.3 for the actual emissions by process or process equipment as follows:
- | | | | |
|-------------------|----------------------------------|-----------------------------|--|
| <u>54.2.2.1.1</u> | Categories 1 and <u>21A</u> TACs | Calendar Year 200 <u>65</u> | Due <u>9-30-077-15-06</u> ,
and each year thereafter, and |
|-------------------|----------------------------------|-----------------------------|--|
- 54.2.2.2 The related stack and fugitive emission release parameters listed in section 54.3 as follows:
- | | | |
|-------------------|----------------------------------|------------------------------|
| <u>54.2.2.2.1</u> | Categories 1 and <u>21A</u> TACs | Due <u>12-31-067-15-07</u> . |
|-------------------|----------------------------------|------------------------------|
- 54.23.32 For each process, all of the following:
- 54.23.32.1 The operating schedule in hours per day, days per week, and weeks per year,
- 54.23.32.2 The chemical name for each listed TAC emitted,
- 54.23.32.3 The actual (and, if required, for the first year's emissions inventory submittal and for new or modified processes and process equipment, the uncontrolled) annual, average hourly and daily, and maximum hourly and daily emission rates for each listed TAC, and
- 54.23.32.4 For the process emissions:
- 54.23.32.4.1 Whether the emission is a stack, fugitive, or area/pit emission,
- 54.23.32.4.2 The percentage of the overall process emissions that are stack, fugitive, or area or pit, and
- 54.23.32.4.3 The amount of emissions for each point of emission for each listed TAC,
- 5.2.4 For cause, the District may extend the compliance date of section 5.2.1.1.1 by up to 6 months. To be eligible for this extension, the owner or operator shall submit all of the information that is available by the compliance date and a written request to the District explaining why the extension is necessary and the actions that were taken to minimize the needed extension.

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- 170 54.3 The related stack and fugitive emission release parameters are as follows:
- 171 54.3.1 Plot plan, drawn to scale, showing all of the following:
- 172 54.3.1.1 Property line,
- 173 54.3.1.2 Fences,
- 174 54.3.1.3 Scale,
- 175 54.3.1.4 North arrow,
- 176 54.3.1.5 Buildings and other structures,
- 177 54.3.1.6 Height of buildings and other structures (if buildings have tiers, profile of building
- 178 tiers),
- 179 54.3.1.7 Location of processes and process equipment,
- 180 54.3.1.8 Location of points of emission, and
- 181 54.3.1.9 UTM coordinates for corners of property, fences, buildings, and points of emission,
- 182 54.3.23 For each stack, all of the following:
- 183 54.3.23.1 Stack height,
- 184 54.3.23.2 Stack diameter (or dimensions if the stack is not round),
- 185 54.3.23.3 Exhaust gas temperature at stack exit point,
- 186 54.3.23.4 Exhaust gas exit velocity, and
- 187 54.3.23.5 Exhaust gas flow rate in ACFM, and
- 188 5.3.2.6 A diagram of the stack discharge point if the exhaust gas is not discharged
- 189 unobstructed vertically upwards.
- 190 54.3.34 For fugitive and area or pit emissions, all of the following:
- 191 54.3.34.1 Dimensions of the point of release, and
- 192 54.3.34.2 Height of the point of release, and
- 193 54.3.45 For flares, all of the following:
- 194 54.3.45.1 Flare tip height,
- 195 54.3.45.2 Maximum and average flare input gas stream volumetric flow rate, temperature, and
- 196 net heat input,
- 197 54.3.45.3 Identification of each component of the flare input gas stream, and
- 198 54.3.45.4 Volumetric fraction for each component of the flare input gas stream, and:-
- 199 5.3.4.5 Flare stack diameter.
- 200 54.4 The uncontrolled emissions rate for each listed toxic air contaminant, if required pursuant
- 201 to section 5.2.1, the maximum hourly and daily emission rates, and the related stack and
- 202 fugitive emission release parameters as required to be submitted pursuant to section 54.2 are
- 203 required to be submitted only once unless there is an appreciable increase in the uncontrolled
- 204 or maximum hourly or daily emission rates or an appreciable change in the information that
- 205 has been submitted that would increase the maximum ambient concentration of a toxic air
- 206 contaminant. The current actual annual, and average hourly and daily, and maximum hourly
- 207 and daily emission rates of each listed toxic air contaminant are required to be submitted
- 208 each year according to the schedule in section 54.2.
- 209 54.5 If the District determines based upon the information that the District has, that the
- 210 concentration of a toxic air contaminant in the ambient air, resulting from the emission by
- 211 a stationary source that is not required to submit the related stack and fugitive emission
- 212 release parameters listed in section 54.3, may be greater than the level that would be
- 213 considered environmentally acceptable pursuant to Regulation 5.21 *Environmental*

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Acceptability for Toxic Air Contaminants section 2.5.2 or 2.5.3, then the District may require the owner or operator of the stationary source to submit the applicable stack and fugitive emission release parameter information. In this case, the District shall provide written notice to the owner or operator of the stationary source, specifying the information required to be submitted and the applicable deadline.

54.6 If the District determines that the concentration of a toxic air contaminant in the ambient air is, or may be, greater than the level that would be considered environmentally acceptable pursuant to Regulation 5.21 section 2.8.1 or 2.8.2 and a potentially responsible entity for the emissions of the toxic air contaminant is identified, then the District may require the owner or operator of an identified stationary source to submit the information identified in sections 54.2 and 54.3 of this regulation. If the stationary source is already scheduled to submit the information identified in section 54.2 and 54.3, then the District may require the information to be submitted on an accelerated schedule. In either case, the District shall provide written notice to the owner or operator of the stationary source, specifying the required information to be submitted and the applicable deadline.

SECTION 65 Certification by a Responsible Official

The information submitted to the District pursuant to this regulation shall contain a formal certification by a responsible official, as defined in Regulation 2.16 section 1.35 (excluding section 1.35.1.1), of the truth, accuracy, and completeness of the information. The certification required is as follows:

"Based on information and belief formed after reasonable inquiry, I certify that the statements and information in this document are true, accurate, and complete."

SECTION 76 Confidentiality and Open Records Requirements

Nothing in this regulation is intended to preempt the confidentiality and open records provisions of Regulation 1.08 *Administrative Procedures*.

Adopted v1/4-19-72; effective 4-19-72; amended v2/9-1-76, v3/6-13-79, v4/12-17-86, v5/11-18-92, v6/12-15-93.